

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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EDWARD GARZA,

Case No. 2:18-cv-00995-GMN-BNW

Petitioner,

v.

ORDER

BRIAN WILLIAMS, et al.,

Respondents.

This habeas matter is before the Court on Petitioner Edward Garza's unopposed second Motion for Extension of Time (ECF No. 38). Petitioner seeks a 60-day extension of time to file and serve an amended petition for writ of habeas corpus.

Habeas actions are civil actions under federal practice and are subject to the reporting requirements of the Civil Justice Reform Act of 1990 ("CJRA"), 28 U.S.C. § 471 *et seq.*¹ The CJRA sets a three-year goal for resolution of each civil case on the merits, *id.* § 476(a)(3), and encourages "setting, at the earliest practicable time, deadlines for filing motions and a time framework for their disposition," *id.* § 473(a). Although the procedural and legal complexity of some habeas actions may impede the three-year objective, the Court attempts to posture each case for a merits decision within three years of filing.

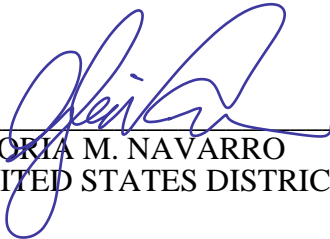
Petitioner initiated this case *pro se* in June 2018. (ECF No. 1.) The Court appointed counsel in September 2019 and originally ordered an amended petition be filed within 90-days (*i.e.*, by January 8, 2020). (ECF Nos. 33, 35). The new deadline approved in this order represents the second extended deadline and falls nearly 10 months after counsel's appointment. Given the length of time Petitioner's counsel has received to investigate and submit an amended petition,

¹ The CJRA mandates early and on-going judicial management of case progress. 28 U.S.C. § 473(a). *See also* Fed. R. Civ. P. 1 (noting that the rules should be implemented to "secure the just, speedy, and inexpensive determination" of each case). Each judge is required to report "the number and names of cases that have not been terminated within three years after filing" on a semi-annual basis. 28 U.S.C. § 476(a)(3).

1 **further extensions of time are not likely to be granted absent compelling circumstances and**
2 **a strong showing of good cause why an amended petition could not be filed within the**
3 **extended time allowed despite the exercise of due diligence.**

4 IT IS HEREBY ORDERED that Petitioner Edward Garza's unopposed second Motion for
5 Extension of Time (ECF No. 38) is GRANTED. Petitioner has until July 6, 2020, to file an
6 amended petition for writ of habeas corpus.

7 DATED: May 7, 2020

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11 GLORIA M. NAVARRO
12 UNITED STATES DISTRICT JUDGE
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